

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2014/2520/FP

SITE ADDRESS: 35 Tiger Moth Way, Hatfield

DESCRIPTION OF DEVELOPMENT: Conversion of garage into habitable accommodation

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. SITE AND APPLICATION DESCRIPTION:

The application site comprises of a two storey coach-house style building, with a garage on the ground floor and habitable accommodation on the first floor, located towards the end of Tiger Moth Way. The garage is accessed via Dragon Road.

The proposal is for the garage to be converted into habitable accommodation and for the garage door to be infilled with matching bricks and a window inserted at ground floor level.

2. SITE DESIGNATION:

The site lies within Hatfield as designated in the Welwyn Hatfield District Plan 2005.

3. RELEVANT PLANNING HISTORY:

S6/2014/1134/LUP - Certificate of lawfulness for conversion of garage to habitable accommodation, refused 06/08/2014.

4. CONSULTATIONS:

None

5. NEIGHBOUR REPRESENTATIONS:

No representations have been received from the public.

6. TOWN/PARISH COUNCIL REPRESENTATIONS

No representations have been received from the Town/Parish Council.

7. MAIN PLANNING ISSUES AND RELEVANT PLANNING POLICIES:

a) The impact on the character and appearance of the existing property and the surrounding area (Policies GBSP2, D1, D2 of the Welwyn Hatfield District Plan 2005 and Section 7 of the NPPF 2012)

b) The impact on the residential amenity of neighbouring properties (Policy D1 of the Welwyn Hatfield District Plan 2005)

c) The impact on parking provisions (Interim Policy for Car Parking Standards and Garage Sizes 2014)

8. ANALYSIS:

a) The impact on the character and appearance of the existing property and the surrounding area (Policies GBSP2, D1, D2 of the Welwyn Hatfield District Plan 2005 and Section 7 of the NPPF 2012)

No.35 Tiger Moth Way is situated within Hatfield Garden Village formally an aerodrome which is within a residential development built in the late 1990s early 2000s. The Dwellings within the area mostly consist of terrace and semi-detached dwellings.

Policy GBSP2 of the Welwyn Hatfield District Plan 2005 notes that development within the specified settlements will be limited to that which is compatible with the maintenance and enhancement of their character and the maintenance of their Green Belt boundaries. Policy D1 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.

The application is to change the function of the garage into a habitable room and changing the external appearance by infilling the garage door and inserting a window. Matching bricks will be used and windows that will match the existing windows and doors on the rear elevation, and as such it is considered that there would be no detrimental impact to the character of the dwelling and surrounding area.

The proposed materials are to match the existing dwelling so on balance, it is considered that the design of the alterations to the rear elevation would relate well to the host dwelling and it follows that there is no conflict with Policies GBSP2, D1 and D2 of the adopted Welwyn Hatfield District Plan 2005 insofar as these seek to ensure that development is designed to a high quality, respects local character and context and is compatible with the character of Hatfield. The proposal further complies with the National Planning Policy Framework in terms of design.

b) The impact on the residential amenity of neighbouring properties (Policy D1 of the Welwyn Hatfield District Plan 2005)

Due to the nature of the proposal being mainly internal and include the infill of a rear door, it is considered that there would be no impact on loss of amenities in terms of overlooking, sun/daylight, outlook or privacy to either neighbour.

c) The impact on parking provisions (Interim Policy for Car Parking Standards and Garage Sizes 2014)

The Council's Hatfield Aerodrome SPG 1999 applies to this property and requires a maximum parking provision of 2 spaces for 2-3 bed dwellings .

The application has also drawn attention to a recent appeal decision (APP/C1950/D/12/2168784) which was for a similar type of development in the wider Hatfield Aerodrome site.

The Inspector noted in this appeal decision the lack of evidence which exists to demonstrate that there is any significant pressure for car parking in the area of the appeal site. The Inspector also noted that there are a number of private garages nearby, as well as off-street parking spaces and that parking was controlled by parking permits to ensure that it is available for use by residents.

The Inspector concluded that there was insufficient evidence to justify the Council's requirement for the maximum level of parking provision for residential development in the area.

This previous appeal decision is a material planning consideration for the purposes of this application and so there is no evidence to justify that the one parking space retained to the front of this property would be insufficient for this proposed two bedroom property. As such the proposal is considered to comply with the parking requirement in the local plan.

In reaching this decision, it is important to state that each application will be determined on its own merits and on the evidence available at that time, and should not be interpreted as setting a precedent for other similar types of properties in this wider residential development. It is also necessary to clarify that the decision is based on the application dwelling being in C3 use which was confirmed in writing by the applicant during the application process. If the property had been in C4 (HMO) use, then different parking standard would have applied which requires a minimum number of parking spaces and it is likely that the application would have failed.

Paragraph 39 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Saved policy M14 of the District Plan and the Parking Standards SPG use maximum standards and are not consistent with the framework and are therefore afforded less weight. In light of the above, the Council have produced an interim Policy for Car Parking Standards that states that parking provision will be assessed on a case by case basis and the existing maximum parking standards within the SPG should be taken as guidance only.

9. CONCLUSION:

It is considered that the design would adequately respect and relate to the existing dwelling and the surrounding area. The impact on the residential amenity of neighbouring properties is also considered to be acceptable. The proposed development is therefore considered to be in accordance with the National Planning Policy Framework and the Welwyn Hatfield District Plan 2005 and the requirements of the Supplementary Design Guidance (Statement of Council Policy).

10. CONDITIONS:

1. C.2.1 Time limit for commencement of development
2. C.13.1 Development in accordance with approved plans/details: 1:500 Site Plan & Drawing No.01 received and dated 18 November 2014.
3. C.5.2 – Matching materials

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Councils website or inspected at these offices).

INFORMATIVE:

1. Please be advised, should the dwelling be used as a House of Multiple Occupancy (HMO) then planning permission will be required to be sought from the Local Planning Authority.

Signature of author..... Date.....